



Attorney Docket No. 944-001.082-1
Serial No. 10/621,259

Dep. of
\$

2008 JAN 23 PM 4:57

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of: Hannuksela, et al

Serial No.: 10/621,259

Examiner: Anand Shahikant Rao

Filed: July 15, 2003

Group Art Unit: 2621

For: METHOD FOR ERROR CONCEALMENT IN VIDEO SEQUENCES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR REFUND

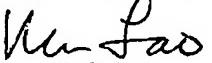
Dear Examiner Rao:

This is a request for a refund of the \$130.00 charged to our deposit account number 23-0442 on November 4, 2008 with your seq #2, description number 10621259 (see enclosed Deposit Account Statement of November 2008).

This transaction is incorrect because the error was on the part of the USPTO and we had to request the Petition for Withdrawal from Issue. The issue fee had been paid on May 5, 2008 and because of a USPTO error we had to file the Petition for Withdrawal in order to reopen the prosecution with an RCE to incorporate amendments. (Please see the documents attached hereto.)

Therefore, this fee should not have been assessed and a refund is appropriate. Please credit our deposit account \$130.00.

Respectfully submitted,


Kenneth Q. Lao
Attorney for the Applicant
Registration No. 40,061

KQL/mef

I hereby certify that this correspondence is being deposited today with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Marie E. Forte


Date



**United States
Patent and
Trademark Office**

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Deposit Account Statement

Requested Statement Month: November 2008
Deposit Account Number: 230442
Name: WARE FRESSOLA VAN DER SLUYS & ADOLPHSON
Attention:
Street Address 1: BRADFORD GREEN BLDG FIVE
Street Address 2: 755 MAIN STREET P O BOX 224
City: MONROE
State: CT
Zip: 06468
Country: UNITED STATES

DATE SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
11/03 1	11202653	944-003.314	1806	\$180.00	\$12,728.65
11/03 5	11582858	536-020.002	1806	\$180.00	\$12,548.65
11/03 3	11665284		9204	-\$100.00	\$12,648.65
11/03 14	11992687		9204	-\$50.00	\$12,698.65
11/03 16	11992687	944-001.178-1-1	1642	\$310.00	\$12,388.65
11/04 2	10621259	944-001.082-1	1801	\$130.00	\$12,258.65
11/04 8849	78687692	900.303	7004	\$150.00	\$12,108.65
11/04 8879	78687696	900.304	7004	\$150.00	\$11,958.65
11/04 3	12097320	944-004.064-1(NC47740US)	1617	\$130.00	\$11,828.65
11/05 24562	0181070502	944-005.355-9	8014	\$25.00	\$11,803.65
11/06 9298	1537241	871-001-254 ARGUS-MMO	7205	\$100.00	\$11,703.65
11/06 9299	1537241	871-001-254 ARGUS-MMO	7201	\$400.00	\$11,303.65
11/06 11750	10142181	911-2.017	1252	\$490.00	\$10,813.65
11/07 835	0182770155	944-003.356-13	8014	\$25.00	\$10,788.65
11/07 922	12218634	944-004.036-2	8021	\$40.00	\$10,748.65
11/07 1	11040832	915-007.131	2201	\$105.00	\$10,643.65
11/07 2	11040832	915-007.131	2202	\$25.00	\$10,618.65
11/07 2	11344775	402-137.017	1806	\$180.00	\$10,438.65
11/07 3	11402220	944-003.043-13	1806	\$180.00	\$10,258.65
11/07 12076	0197110684	915-001.086-1-4	8014	\$25.00	\$10,233.65
11/10 4	10599627	870-003-216	1251	\$130.00	\$10,103.65
11/12 5611	PCT/US08/83008	712-002.308	1601	\$300.00	\$9,803.65
11/12 5612	PCT/US08/83008	712-002.308	1602	\$1,800.00	\$8,003.65
11/12 5613	PCT/US08/83008	712-002.308	1702	\$1,338.00	\$6,665.65
11/12 6897	12286112		8021	\$40.00	\$6,625.65
11/12 11689	11985578	944-019.011-1 (NC61960WO)	8007	\$20.00	\$6,605.65
11/12 12231	78723723	871-003-237 NOBELSPEEDY	7004	\$300.00	\$6,305.65
11/12 21388	77075295	957.206	7004	\$150.00	\$6,155.65
11/12 21408	77075277	957.206	7004	\$150.00	\$6,005.65
11/12 21563	12229065	915-005.232	8021	\$40.00	\$5,965.65

Applicant: Hannuksela et al
For: METHOD FOR ERROR CONCEALMENT IN VIDEO SEQUENCES
Serial No./Patent No. 10/621,259

The following papers were received in the U.S. Patent and Trademark Office:

- RCE
- Amendment Transmittal
- Amendment and/or Response
- Comp. of Filing Requirements Transmittal
- Copy of Notice of Missing Parts
- Decl. and Power of Atty.
- Assignment w/Cover Sheet
- Cert. Copy of Priority Doc. w/transmittal
- Maintenance Fee Transmittal
- Petition for Withdrawal of Issue

Filed/Issued: July 15, 2003

Issue Fee Transmittal

Transmittal of Formal Drawings

Drawings - No. of Sheets _____

Fee: \$810.00* Enclosed

Info. Disclosure Statement

Form PTO-1449 w/References

Req. for Certificate of Correction w/
PTO/SB/44 in duplicate

*Check No. 39585

Express Mail No.

Date Mailed: 10/31/08 Docket No. 944-001.082-1

Attorney: KQL

Please date stamp and return

WARE, FRESSOLA, VAN DER SLUYS
RECEIVED
& ADOLPHSON
NOV 07 2008
FILED 944-001.082-1
ANS'D. KQL
[Signature]



944-001.082-1
Serial Number 10/621,259

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of: Hannuksela et al.: Attorney Docket No.: 944-001.082-1

Serial No.: 10/621,259 : Examiner: Anand Shashikant Rao

Filed: July 15, 2003 : Art Unit: 2621

For: **METHOD FOR ERROR CONCEALMENT IN VIDEO SEQUENCES**

Mailstop 313
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION FOR WITHDRAWAL FROM ISSUE – ISSUE FEE PAID –
(37 C.F.R. Section 1.313(b)(3))

Sir:

In conjunction with filing a Request for Continued Examination, please find the Petition as follows:

******If any fee and/or extension is required in addition to any enclosed herewith, please charge Account No. 23-0442.***

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

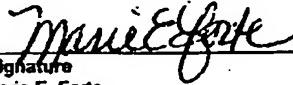
Deposited with the United States Postal Service with sufficient postage as first class Mail in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

FACSIMILE

Transmitted by facsimile to the U.S. Patent and Trademark Office.

Date:

Oct. 31, 2008


Signature
Marie E. Forte
(type or print name of person certifying)



944-001.082-1
Serial Number 10/621,259

PETITION

1. Applicant hereby petitions for the withdrawal of this application from issue.
2. The issue fee for this case was paid on May 5, 2008 in the amount of \$1,740.00.
3. The issue date is unknown at this time.
4. The reason for withdrawal from issue of this application is a mistake on the part of the Patent Office. (37 C.F.R. Section 1.313 (b)(1)).
5. The applicant sincerely believes the petition fee is not warranted. Applicant requests that the petition fee be waived. In the event the petition fee is required, authorization is hereby made to charge any deficiency to deposit account Number 23-0442.

Respectfully submitted,

Kenneth Q. Lao
Registration No. 40,061

Date: Oct. 31, 2008

WARE, FRESSOLA, VAN DER SLUYS
& ADOLPHSON LLP
Bradford Green, Building 5
755 Main Street, PO Box 224
Monroe, CT 06468
(203) 261-1234

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**Request
for
Continued Examination (RCE)
Transmittal**

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/621,259
Filing Date	July 15, 2003
First Named Inventor	Miska Hannuksela
Art Unit	2621
Examiner Name	Anand Shashikant Rao
Attorney Docket Number	944-001.082-1

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
 - a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
 - i. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - ii. Other _____
 - b. Enclosed
 - i. Amendment/Reply
 - ii. Affidavit(s)/ Declaration(s)
 - iii. Information Disclosure Statement (IDS)
 - iv. Other _____
2. **Miscellaneous**

Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a

 - a. period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
 - b. Other _____
3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to

 - a. Deposit Account No. 23-0442
 - i. RCE fee required under 37 CFR 1.17(e)
 - ii. Extension of time fee (37 CFR 1.136 and 1.17)
 - iii. Other _____
 - b. Check in the amount of \$ 810.00 enclosed
 - c. Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	<u>Kenneth Q. Lao</u>	Date	October 31, 2008
Name (Print/Type)		Registration No.	40,061

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	<u>Marie E. Forte</u>	Date	October 31, 2008
Name (Print/Type)	Marie E. Forte	Registration No.	

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



944-001.082-1
Serial Number 10/621,259

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of: Hannuksela et al.: Attorney Docket No.: 944-001.082-1

Serial No.: 10/621,259 : Examiner: Anand Shashikant Rao

Filed: July 15, 2003 : Art Unit: 2621

For: **METHOD FOR ERROR CONCEALMENT IN VIDEO SEQUENCES**

Mail RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION

Sir:

In conjunction with filing a Request for Continued Examination, please amend the patent application as follows:

******If any fee and/or extension is required in addition to any enclosed herewith, please charge Account No. 23-0442.***

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

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FACSIMILE

Transmitted by facsimile to the U.S. Patent and Trademark Office.

Date: Oct 31, 2008

Marie E. Forte
Signature
Marie E. Forte
(type or print name of person certifying)

Claim Amendments

Please amend claims 14, 24 and 25 as follows:

1. (previously presented) A method of concealing an error in a frame of a video sequence, the video sequence comprising at least a first scene and a second scene, the second scene having a scene transition from the first scene, wherein the scene transition comprises a number of frames and the scene transition is one of a number of scene transition types, said method comprising:

retrieving information indicative of type of scene transition from an encoded video bitstream for identifying the type of scene transition; and

applying in a decoding process an error concealment procedure to conceal an error in a frame belonging to the scene transition based on the identified type of scene transition.

2. (original) A method according to claim 1, wherein the identified type of scene transition is a scene cut.

3. (original) A method according to claim 2, wherein if a whole picture belonging to the scene cut is lost, the lost picture is not concealed.

4. (original) A method according to claim 2, wherein if part of a picture belonging to the scene cut is lost or corrupted, a spatial error concealment algorithm is applied to conceal the lost or corrupted part of the picture.

5. (original) A method according to claim 1, wherein the identified type of scene transition is a gradual scene transition.

6. (original) A method according to claim 5, wherein the scene transition is a fade.

7. (original) A method according to claim 5, wherein the scene transition is a dissolve.

8. (original) A method according to claim 5, wherein the scene transition is a wipe.

9. (original) A method according to claim 5, wherein if a whole picture belonging to the gradual transition is lost or corrupted, a spatio-temporal error concealment algorithm is applied to conceal the lost or corrupted part of the picture.

10. (original) A method according to claim 5, wherein if part of a picture belonging to the gradual transition is lost or corrupted, a spatio-temporal error concealment algorithm is applied to conceal the lost or corrupted part of the picture.

11. (original) A method according to claim 1, wherein information indicative of the identified scene transition is provided to a decoder in a supplemental enhancement information message so as to allow the decoder to conceal the error based on said information.

12. (original) A method according to claim 11, wherein said information indicative of the identified scene transition includes an indication of a scene transition type.

13. (original) A method according to claim 11, wherein said information indicative of the identified scene transition is provided for each frame belonging to the transition.

14. (currently amended) A video encoding device for encoding a video sequence into an encoded video data stream, the video sequence comprising at least a first scene and a second scene and having a scene transition from the first scene, wherein the scene transition comprises a number of frames and the scene transition is one of a number of scene transition types, said video coding device comprising:

an identifier module for identifying frames associated with the scene transition; and
a multiplexing module for providing information for use in a decoding process about the type of scene transition in the encoded video data stream, wherein the provided information is used for an error concealment process.

15. (previously presented) A video encoding device according to claim 14, wherein said information is provided in a supplemental enhancement information message.
16. (previously presented) A video encoding device according to claim 15, wherein said information is provided for each frame belonging to the transition.
17. (previously presented) A video decoding device for decoding a video sequence from an encoded video data stream, the video sequence comprising at least a first scene and a second scene and having a scene transition from the first scene, wherein the scene transition comprises a number of frames and the scene transition is one of a number of scene transition types, wherein said video decoding device is configured to receive the encoded video data stream, said video coding device comprising:
 - a demultiplexer module for retrieving information identifying the type of scene transition from the encoded video data stream, wherein the demultiplexer module is configured to provide the information indicative of the identified type of scene transition so as to allow an error concealment algorithm to conceal in a decoding process an error in a frame belonging to the transition based on the type of scene transition.
18. (previously presented) A video decoding device according to claim 17, wherein the type of scene transition is retrieved from a supplemental enhancement information in the encoded video data stream.
19. (original) A video decoding device according to claim 17, wherein the type of scene transition is a gradual scene transition and a whole picture belonging to the gradual scene transition is lost or corrupted, said error concealment algorithm comprising a spatio-temporal error concealment algorithm for concealing the lost or corrupted picture.
20. (original) A video decoding device according to claim 17, wherein the type of scene transition is a gradual scene transition and a part of a picture belonging to the gradual scene transition is lost or corrupted, said error concealment algorithm comprising a spatio-temporal error concealment algorithm for concealing the lost or corrupted part of the picture.

21. (original) A video decoding device according to claim 17, wherein the type of scene transition is a scene cut and a part of a picture belonging to the scene cut is lost or corrupted, said error concealment algorithm comprising a spatial error concealment algorithm for concealing error in the picture.
22. (original) A video decoding device according to claim 17, wherein the type of scene transition is a scene cut and a whole picture belonging to the scene cut is lost or corrupted, said error concealment algorithm adapted to ignore the lost or corrupted picture.
23. (previously presented). A video decoding device for decoding a video sequence from an encoded video data stream, the video sequence comprising at least a first scene and a second scene and having a scene transition from the first scene, wherein the scene transition comprises a number of frames and the scene transition is one of a number of scene transition types, said video decoding device comprising:
 - means for receiving the encoded video data stream,
 - means for retrieving information from the received encoded video data stream to identify the type of scene transition, and
 - means for concealing in a decoding process an error in a frame belonging to the transition based on the information indicative of the identified type of scene transition.
24. (currently amended) A video encoding device for encoding a video sequence into an encoded video data stream, the video sequence comprising at least a first scene and a second scene and having a scene transition from the first scene, wherein the scene transition comprises a number of frames and the scene transition is one of a number of scene transition types, said video coding device comprising:
 - means for identifying frames associated with the scene transition; and
 - means for providing information for use in a decoding process about the type of transition in the encoded video data stream, wherein the provided information is used for an error concealment process.

25. (currently amended) A method for encoding a video sequence into an encoded video data stream, the video sequence comprising at least a first scene and a second scene and having a scene transition from the first scene, wherein the scene transition comprises a number of frames and the scene transition is one of a number of scene transition types, said method comprising:

identifying frames associated with the scene transition; and
providing information for use in a decoding process about the scene transition type in the encoded video data stream, wherein the provided information is used for an error concealment process.

26. (previously presented) A method according to claim 25, wherein said information is provided in a supplemental enhancement information message.

27. (previously presented) A method according to claim 25, wherein said information is provided for each frame belonging to the scene transition.

REMARKS

This Request for Continued Examination is filed in response to an interview summary, mailed October 7, 2008. The interview summary summarizes the telephone interview with the Examiner on September 26, 2008.

In the interview, the Examiner suggested that claims 14, 24 and 25 be amended to include the expression "wherein the provided information is used for an error concealment process". Since the issue fee has been paid, the amendment cannot be made either by the Examiner's amendment nor a submitted amendment under Rule 1.312.

In the interview summary, it is stated that the prosecution would have to be re-opened with an RCE accompanied along with a petition to withdraw the issue under Rule 1.313, and an amendment to amend the scope of the claims 14, 24 and 25 as mentioned above.

Applicant has amended claims 14, 24 and 25 as suggested by the Examiner.

No new matter has been introduced.

Respectfully submitted,



Kenneth Q. Lao
Registration No. 40,061

Date: Oct. 31, 2008

WARE, FRESSOLA, VAN DER SLUYS
& ADOLPHSON LLP
Bradford Green, Building 5
755 Main Street, PO Box 224
Monroe, CT 06468
(203) 261-1234



UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,259	07/15/2003	Miska Hannuksela	944-001.082-1	9729
4955	7590	10/07/2008	EXAMINER	
WARE FRESSOLA VAN DER SLUYS & ADOLPHSON, LLP			RAO. ANAND SHASHIKANT	
BRADFORD GREEN, BUILDING 5			ART UNIT	PAPER NUMBER
755 MAIN STREET, P O BOX 224			2621	
MONROE, CT 06468				
MAIL DATE		DELIVERY MODE		
10/07/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

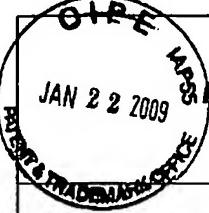
The time period for reply, if any, is set in the attached communication.

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WARE, FRESSOLA, VAN DER SLUYS
& ADOLPHSON

OCT 10 2008

FILE 944-001.082-1
ANS'D. KSL



Interview Summary

Application No.	Applicant(s)
10/621,259	HANNUKSELA ET AL.
Andy S. Rao	2621

All participants (applicant, applicant's representative, PTO personnel):

(1) Andy S. Rao. (3) _____

(2) Kenneth Lao (#40.061). (4) _____

Date of Interview: 26 September 2008.

Type: a) Telephonic b) Video Conference
c) Personal [copy given to: 1) applicant 2) applicant's representative]

Exhibit shown or demonstration conducted: d) Yes e) No.
If Yes, brief description: _____

Claim(s) discussed: 14, 24 and 25.

Identification of prior art discussed: _____

Agreement with respect to the claims f) was reached. g) was not reached. h) N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

(Andy S. Rao/
Primary Examiner, Art Unit 2621

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record
A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

JAN 22 2009

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews
Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted.
- 2) an identification of the claims discussed.
- 3) an identification of the specific prior art discussed.
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The Examiner contacted Applicant's representative about the possible unpatentability of claims 14, 24, 25 and suggested the addition of a "...wherein the provided information is used for an error concealment process..." limitation to each of said claims to overcome such concerns of patentability. However, since the issue fee has already been paid, such an amendment to the claims could not be expedited by either an Examiner's amendment or a submitted amendment under Rule 1.312. Accordingly, it was noted that prosecution would have to be re-opened with an RCE accompanied along with a petition to withdraw for issue under Rule 1.313, and an amendment submitted therewith to amend the scope of the claims 14, 24, and 25 as discussed above. Applicant's agreed to such a course of action and the Examiner informed the Applicant's representative that upon the filing of an RCE, a notice of allowance would be re-issued..

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Request

for

Continued Examination (RCE)
Transmittal

Address to:
 Mail Stop RCE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Application Number

10/621,259

Filing Date

July 15, 2003

First Named Inventor

Miska Hannuksela

Art Unit

2621

Examiner Name

Anand Shashikant Rao

Attorney Docket Number

944-001.082-1

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NOV 03 2008

OFFICE OF PETITIONS

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
 Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

- 1. Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- i. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 ii. Other _____

- b. Enclosed

- i. Amendment/Reply iii. Information Disclosure Statement (IDS)
 ii. Affidavit(s)/ Declaration(s) iv. Other _____

2. Miscellaneous

- a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)
 b. Other _____

3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No. 23-0442.

- | | | | | |
|--|-------------------|----------|--------|-----------|
| i. <input checked="" type="checkbox"/> RCE fee required under 37 CFR 1.17(e) | 11/04/2008 GARIAS | 00000001 | 230442 | 10621259 |
| ii. <input type="checkbox"/> Extension of time fee (37 CFR 1.138 and 1.17) | 02 FC:1801 | 130.00 | DA | 680.00 OP |
| iii. <input type="checkbox"/> Other _____ | | | | |
| b. <input checked="" type="checkbox"/> Check in the amount of \$ <u>810.00</u> | enclosed | | | |
| c. <input type="checkbox"/> Payment by credit card (Form PTO-2038 enclosed) | | | | |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	<u>Kenneth Q. Lao</u>	Date	October 31, 2008
Name (Print/Type)	Kenneth Q. Lao	Registration No.	40,061

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	<u>Marie E. Forte</u>	Date	October 31, 2008
Name (Print/Type)	Marie E. Forte	Registration No.	40,061

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

810.00 OP

01/30/2009 SDIRETA1 00000006 10621259

01 FC:1801

Adjustment date: 01/30/2009 SDIRETA1
 11704/2008 GARIAS 00000001 230442 10621259
 02 FC:1801 130.00 CR -680.00 OP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of: Hannuksela et al.:

Attorney Docket No.: 944-001.082-1

Serial No.: 10/621,259

: Examiner: Anand Shashikant Rao

Filed: July 15, 2003

: Art Unit: 2621

For: **METHOD FOR ERROR CONCEALMENT IN VIDEO SEQUENCES**

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Commissioner for Patents
P.O. Box 1450
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OFFICE OF PETITIONS

**PETITION FOR WITHDRAWAL FROM ISSUE – ISSUE FEE PAID –
(37 C.F.R. Section 1.313(b)(3))**

Sir:

In conjunction with filing a Request for Continued Examination, please find the Petition as follows:

*****If any fee and/or extension is required in addition to any enclosed herewith, please charge Account No. 23-0442.**

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))

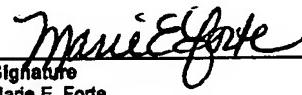
I hereby certify that this correspondence is, on the date shown below, being:

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 Deposited with the United States Postal Service with sufficient postage as first class Mail in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Transmitted by facsimile to the U.S. Patent and Trademark Office.

Date: Oct. 31, 2008


Signature
Marie E. Forte

(type or print name of person certifying)

Adjustment date: 01/30/2009 SDIRETA1
11/04/2008 GARIAS 00000001 230442 10621259
01 FC:1464 -130.00 OP

11/04/2008 GARIAS 00000001 230442 10621259

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